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17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO DIVISION

20 HOWARD RICE NEMEROVSKI CANADY
 21 FALK & RABKIN, a California professional
 corporation,

22 Plaintiff,

23 v.

24 TOTAL TECHNOLOGY, INC., an Ohio
 25 corporation; and DOES 1 through 40,
 inclusive,

26 Defendants.

27 AND RELATED COUNTERCLAIMS.
 28

No. C 06 00426 CW

Action Filed: December 22, 2005
 Action Removed: January 23, 2006

STIPULATION OF DISMISSAL AND
 ORDER

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure and their Settlement Agreement, IT IS HEREBY STIPULATED by and between the parties to this action, through their designated counsel, that the above-captioned action, including both the complaint and cross-complaint, shall be dismissed with prejudice forthwith, each party to bear its own fees and costs.

Dated: December ____, 2006.

Respectfully,

DIRK M. SCHENKKAN
CHRISTOPHER WHEELER
HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN
A Professional Corporation

By: _____
DIRK M. SCHENKKAN

Attorneys for Plaintiff
HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN, A Professional Corporation

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
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A Professional Corporation

Dated: December ____, 2006.

WILLIAM J. FLYNN
SCOTT M. DE NARDO
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By: _____
THOMAS W. HUMPHREY

Attorneys for Defendant
TOTAL TECHNOLOGY, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 14, 2006.

By:  _____
HONORABLE CLAUDIA WILKEN
United States District Judge